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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
JOSE JESUS MADRIGAL-DIAZ,
Defendant.

No. CR 07-0309 WHA

**ORDER DENYING DEFENDANT'S
MOTION FOR RECONSIDERATION
AND NEW HEARING**

Defendant moves for reconsideration of the order denying his Section 2255 motion and for a new hearing. He states that he is entitled to such relief because of "ineffective arguments[] and omissions by counsel." As defendant has not been granted leave to file a motion for reconsideration and as his motion does not otherwise meet the requirements of Civil Local Rule 7-9, applicable here via Criminal Local Rule 2-1, defendant's motion is **DENIED**. Defendant's request to remain at the Dublin detention facility pending appeal is **DENIED**, as such decision is up to the Bureau of Prisons. The Clerk shall serve this order on defendant.

IT IS SO ORDERED.

Dated: June 8, 2011.

Wm. Alsup
WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE